

# UNITED STATES DISTRICT COURT

for the

Western District of North Carolina

United States of America

v.

VERLIE JAMES PATTERSON, JR.

Date of Previous Judgment: September 2, 1998

(Use Date of Last Amended Judgment if Applicable)

)

)

) Case No: 3:97CR184-20

) USM No: 13196-058

) Robert C. Carpenter

) Defendant's Attorney

## Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of  the defendant  the Director of the Bureau of Prisons  the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

DENIED.  GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of \_\_\_\_\_ months **is reduced to** \_\_\_\_\_.

### I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 34

Amended Offense Level: 34

Criminal History Category: VI

Criminal History Category: VI

Previous Guideline Range: 262 to 327 months

Amended Guideline Range: 262 to 327 months

### II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- The reduced sentence is within the amended guideline range.
- The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- Other (explain): The application of Amendment 706 results in no change to the Base or Total Offense Levels or the advisory guideline range since the defendant is a "career offender" under USSG §4B1.1. Accordingly, Defendant is not eligible for a sentence reduction per U.S.S.G. § 1B1.10.

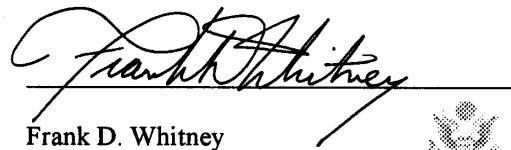
### III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated September 2, 1998 shall remain in effect.

**IT IS SO ORDERED.**

Order Date: October 2, 2008

Effective Date: \_\_\_\_\_  
(if different from order date)

  
Frank D. Whitney  
United States District Judge